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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/979,493	01/18/2002	Sara Elizabeth Young	7611 M	5946

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EXAMINER

NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/979,493	<b>Applicant(s)</b> YOUNG ET AL.	
	<b>Examiner</b> CamLinh Nguyen	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Specification*

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 5, 11, 15 – 22, 27 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Family Tree House (Copyright 1996 AFTER) in view of Adler et al (U.S. 6,675,356).

♦ As per claim 1, 17 - 18, 27 – 29,

The Family Tree House is the web site of AFTER (the Association for Family Tree Enrollment and Registry). This site offers a method assisted integrated family information management system comprising:

- “A central module containing at least one family data file” corresponds to the central database of the web site server that stored information of customers.
- “One family data file” corresponds to the data file of customer entered into the system (see page 3). This is a family tree house, therefore, it must include at least two or more members (page 7).

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- “ A user interface system for transferring information to and receiving information from said family data file of said central control module” corresponds to the interface system that users used to enter information as shown in page 3 into the system.
- “ At least one information source connected to said central control module from which relevant family information is obtained” See page 10 – 12. There are pluralities of sources such as “Census Bureau”, “CZECH information Center”. “Information source” corresponds to one of the sources such as “Census Bureau”, “CZECH information Center”. When the user clicks on one of them, example “Census Bureau” site, and the system will access that home page and retrieve information that user requested (page 13 – 14).
- “ Relevant family information obtained from said information source is processed with information stored in said family data file to create value-add family information which is accessible in said central control module through said user interface system” See page 13. Wherein, “Relevant family information” corresponds to the family member name that the user wants to search. This information is processed together with the user information to create a result that includes relevant name to the user. As the result of the search, the relevant name/information corresponds to the “value-add family information” because this result is developed from multiple sources (As defined in page 8, line 16, of the disclosure).

The Family Tree House reference does not clearly disclose a “module” or the specific structural system to carry out the disclosed system.

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However, on the other hand, Adler discloses a structural system including a control module (Fig. 1, element 114, Fig. 3, element 310, col.7, lines 64 – 67, Adler), a user interface (Fig. 1, element 116, Fig. 3, element 312, col. 8, lines 1 – 13, Adler), and an external communication with data sources to be accessed by the system (Fig. 1, element 110,112,118, fig. 3, element 314, 316, 318, 320, col. 8, lines 10 – 17, Adler).

One of ordinary skill in the art would have recognized that some physical system must be implemented in the Family Tree House reference; and having the Adler system before her, it would have been obvious to one with ordinary skill in the art at the time the invention was made to implement Adler's system in carrying out the Family Tree House's method because the Adler system was readily available and would enable the objectives of the Family Tree House system to be carried out. The obvious modification would have been to install the Family Tree House software on to the Adler system.

◆ As per claim 2 – 3, 19 – 20, 30 – 31, the combination of Family Tree House and Adler disclose:

- “Said central control module retrieve said relevant information from said information source”, and “central control module access said relevant information from said information source” See Page 13, where the system must access the genealogy home page and retrieve information from “online data collection” or “World Family Tree” or US Census collection”.

◆ As per claim 4, 21, 32 – 33, the combination of Family Tree House and Adler disclose:

- “ Said relevant family information is sent to said central control”. Because the Genealogy is the host for other sources, therefore, the information must be sent to the central control.

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- ◆ As per claim 5, 22, the combination of Family Tree House and Adler disclose:
  - “ Said relevant family information is obtained by said central control module upon request of a member of said family” See page 13, where the user must enter the request.
- ◆ As per claim 11, the combination of Family Tree House and Adler disclose:
  - “ Central control module further comprising a data storage device” corresponds the storage that stored user information or user profile in the web server.
- ◆ As per claim 15 - 16, the combination of Family Tree House and Adler disclose:
  - “ Information source is internal and external to said system” See page 10, where the information source is external to the system. See page 9 for information is internal to the system.

3. Claims 6 – 10, 12 – 14, 23 – 26, 34 – 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Family Tree House (Copyright 1996 AFTER) in view of Adler et al (U.S. 6,675,356) further in view of Alexander S. Tuzhilin (U.S. 6,236,978).

- ◆ As per claim 6 - 8, 23 – 25,

The combination of Family Tree House and Adler discloses a method for searching relevant information based on user profile or family information. However, the combination system does not clearly disclose that relevant information is obtained upon recognition of a predetermined event, a predetermined time interval, a predetermined time schedule.

Tuzhilin, on the other hand, discloses a method for generating a user profile, and based on this profile, the system will generate some services or products that users may utilize (Col. 2, lines 41 – 59, Tuzhilin). Tuzhilin teaches that the system can recognized a predetermined event, time interval, and schedule based on the Purchasing history (col. 11, lines 35 – 41), and base on

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this information, the system will generate some suggestion or recommendation to user (col. 12, lines 4 – 24, Tuzhilin).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Tuzhilin into the combination of Family Tree House and Adler system because the combination provides the user information as needed without searching for it.

◆ As per claim 9 - 10, 26, the combination of Family Tree House/Adler/Tuzhilin disclose:

- “Family activity data” and “specified information in said family data file” See col. 12, lines 4 – 24, Tuzhilin.

◆ As per claim 12 - 14, the combination of Family Tree House/Adler/Tuzhilin disclose:

- “Central control module further comprising a voice recognition system”, and “means for providing message to users” see col. 13, lines 30 – 34, col. 14, lines 11 – 14 of Tuzhilin.

◆ As per claim 34 - 37, the combination of Family Tree House/Adler/Tuzhilin disclose:

Claims 34 – 37 are rejected based on the rejection of claims 1 and 12 – 14.

#### ***Response to Arguments***

4. Applicant's arguments filed 2/28/2005 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5

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USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, all of references are in the same field of technology, therefore, the examiner recognizes that obviousness can be established by the knowledge generally available to one of ordinary skill in the art.

Applicant argues that the Family tree House reference fails to disclose any information on a family's daily activities, preferences, or schedules. The Examiner respectfully disagrees.

First of all, the claims language did not claim such limitations.

Second, as Applicant admitted in the Remark, the Family tree House discloses information such as names and dates of birth/death of parents and children. This information are considered as "family information" as claimed in the invention.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Adler et al (U.S. 6,675,356) discloses a distributed document-based calendaring system.
- David Bader (U.S. 5,467,471) discloses a method for maintaining databases by means of hierarchical genealogical table.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).



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PRIMARY EXAMINER

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